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12 Bank of America, N.A.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DONALD OKADA, an individual,

Plaintiff,

vs.

BANK OF AMERICA, N.A.; SELECT
PORTFOLIO SERVICING; NATIONAL
DEFAULT SERVICING CORPORATION AND;
DOES 1-50,

Defendants.

Case No. 8:15-cv-00981-CJC-E

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S COMPLAINT[FED. R. CIV.
PROC. 12(B)(6)]**

Date: August 3, 2015
Time: 1:30 P.M.
Place: Courtroom 9B
Compl. Filed: May 11, 2015
Compl. Removed: June 18, 2015

Honorable Cormac J. Carney

*[Filed concurrently with Notice of Motion,
Motion to Dismiss, Certificate of Interested
Parties, and Request for Judicial Notice]*

1 [PROPOSED] ORDER

2 On April 16, 2015 at 8:30 a.m. in Courtroom 10 of the above Court, the Motion
3 to Dismiss of Defendants Bank of America, N.A. (“BANA” or “Defendant”) to the
4 Complaint of Plaintiff Donald Okada (“Plaintiff”) came on for hearing before this
5 Court. Having read and considered the pleadings in support of and opposition to the
6 Motion, and having allowed the parties to present oral argument, this Court rules as
7 follows:

8 1. Plaintiff’s Complaint fails to state a claim upon which relief may be
9 granted against Defendants and, on that basis, Defendant’s Motion is GRANTED.
10 Fed. R. Civ. Proc. 12(b)(6).

11 2. The deficiencies of Plaintiff’s Complaint cannot be cured by amendment
12 and Plaintiffs are therefore denied leave to amend the Complaint.

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14 **IT IS SO ORDERED.**

15 DATED: _____

16 Honorable Randall J. Sherman
17 Judge of the Superior Court

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REED SMITH LLP
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